

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and a *de novo* determination of those portions of the Report and Recommendation to which objection is made there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. §636(b)(1)(B) and Local Rule 72.2(c)(1) and dated September 15, 2009, is **ADOPTED** as the opinion of this court.

Done this 19th day of October, 2009.

s/ WILLIAM H. STEELE
UNITED STATES DISTRICT JUDGE